UNREPORTABLE

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **LPA NO. 203 of 2007**

% **Date of Decision** : 17th April, 2007.

JUGVIR INDER SINGH .... Appellant.
Through Appellant in person.

VERSUS

UOI & ORS. .... Respondents.
Through None.

CORAM:

HON'BLE DR.JUSTICE MUKUNDAKAM SHARMA,CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporter or not ?

3. Whether the judgment should be reported in the Digest ?

SANJIV KHANNA, J:

1. The appellant, who appears in person, by way of present appeal has challenged order dated 3rd January, 2007 passed by the

learned Single Judge dismissing his review application as well as order dated 25th September, 2006 dismissing his writ petition.

2. Learned Single Judge while dismissing the writ petition had noticed that the appellant had made the following prayers:-

> "a) Your Lordship may graciously be pleased to issue a writ of mandamus and/or writ in the nature of mandamus or any other appropriate writ, direction or order for the respondents to cease and desist providing every nature of service, command, control, communication, intelligence and information to the Commonwealth of Australia till this Child Right and Human Right Violation has been removed by the partnership and treaties between the two be quashed in total.
>
> b) During the pendency and final disposal of this petition, the respondents and/or their servants, or nominees may retrained from enforcing executing continuing, buying, selling exchanging or giving effect to any treaty agreement without considering the human rights and child rights violations of the petitioner.
>
> c) During the pendency and final disposal of this petition, the respondents and/or their servants, or nominees may restrained from enforcing executing, continuing, buying, selling exchanging or giving effect to any treaty agreement, or finalising any future planned

efforts and contracts or treaties without considering the human rights and child rights violations of the petitioner.

d) During the pendency and final disposal of this petition, the respondents and/or their servants, or nominees may retrained from enforcing executing continuing, buying, selling exchanging or giving effect to any treaty agreement or completing any present ongoing completed treaties, contracts and agreement without considering the human rights and child rights violations of the petitioner.

e) Any such relief or reliefs as this Hon'ble Court deems just and proper in the facts and circumstances in this case may also be granted.

f) Grant the monetary compensation demand as calculated before the National Human Rights Commission and Supreme Court in the applications for mentioned so as to teach the respondents and their partners a lesson."

3. The appellant submitted before us that there has been gross violation of UN Charter, fundamental rights of children and Child Rights Convention. He has made various allegations against the Commonwealth of Australia.

4. The facts as stated in the petition are not lucid and clear.

However, it appears that the appellant is married to one Ms. Sarah Newman Singh an Australian. He also has a minor daughter aged about 5 years named Nara. He came to India, while his wife and minor child remained in Australia. The appellant claims that he had last spoken to his wife and daughter on 28th May, 2005. His wife told him that they were in trouble and his daughter was perturbed and wanted him to come back. The appellant claims thereafter that he has not been able to talk to his wife and daughter in spite of repeated attempts. It also appears that the appellant has been making visits to Australian High Commission and Ministry of External Affairs as he apprehends that his wife and daughter were kidnapped and thereafter they have disappeared.

5. He had filed a writ petition before the Supreme Court which was withdrawn with liberty to approach a court or any authority of a competent jurisdiction. He had also filed a petition before the National Human Rights Commission, which was disposed of on 13th

July, 2005. A review application was also filed before the National Human Rights Commission but without success.

6. We agree with the finding of the learned Single Judge that basic grievance of the appellant is against the Government of Australia. The wife and child of the appellant are residing in Australia. The appellant has already invoked jurisdiction of the Human Rights Commission in Australia. We do not think that this Court can issue any direction to the Union of India not to deal with and have arrangement with the Government of Australia. No prayers as sought for in the writ petition can be granted. It would be appropriate for the appellant to process and to continue his proceedings, which have already been initiated in Australia.

7. The appeal has no merit and is dismissed. No costs.

(SANJIV KHANNA)
JUDGE

(DR. MUKUNDAKAM SHARMA)
CHIEF JUSTICE

APRIL 17, 2007
VKR